



1761  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/915,150  
Applicant : Gary R. DelDuca *et al.*  
Filed : July 25, 2001  
Title : Modified Atmosphere Packages and Methods For Making the Same  
  
TC/A.U. : 1761  
Examiner : Robert A. Madsen  
  
Docket No. : 47097-01080USPT

**FIFTH INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. §§ 1.97 and 1.98**

Mail Stop Patent Application  
COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313

<b>CERTIFICATE OF MAILING</b> 37 C.F.R. 1.8	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313, on the date indicated below:	
7/21/2004 Date	 Adrienne White

Dear Commissioner:

In compliance with the duty of disclosure under 37 C.F.R. §1.56, it is respectfully requested that this Information Disclosure Statement be entered and the reference(s) listed on attached Form PTO-1449 be considered by the Examiner and made of record.

In accordance with 37 C.F.R. § 1.98(d), copies of the listed references are enclosed.

In accordance with 37 C.F.R. §§ 1.97(g),(h), this Information Disclosure Statement is not to be construed as a representation that a search has been made, and is not to be construed to be an admission that the information disclosed is, or is considered to be, prior art with respect to the present application or material to patentability as defined in 37 C.F.R. §§ 1.56.

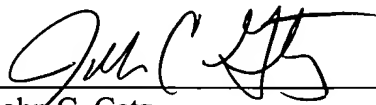
The present Information Disclosure Statement is being submitted after the mailing of the first Office Action reflecting an examination on the merits but before the mailing of a Final Rejection or Notice of Allowance. Accordingly, in accordance with 37 C.F.R. § 1.97(c), a fee of \$180 is included herewith. If this check is inadvertently not enclosed, or is in error in amount,

the Commissioner is authorized to charge any deficiency or to credit any over payment to  
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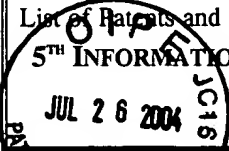
Respectfully submitted,

July 21, 2004

Date

  
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Form PTO-1449 (modified)	Atty. Docket No. 47097-01080USPT	Serial No. 09/915,150
List of Patents and Publications for Applicant's <b>5<sup>TH</sup> INFORMATION DISCLOSURE STATEMENT</b> 	Applicant Gary R. DelDuca et al.	
	Filing Date: July 25, 2001	Group: 1761

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### U.S. Patent Documents

Exam. Init.	Ref. Des.	Document Number	Date	Name	Class	Sub Class	Filing Date if App.
	A01	5,629,060	05/13/1997	Garwood	428	35.2	06/24/1992

### Foreign Patent Documents

Exam. Init.	Ref. Des.	Document Number	Date	Country	Class	Sub Class	Translation Yes/No
	B01	05319639 A	12/03/1993	Japan			Abstract

### Other Art (Including Author, Title, Date Pertinent Pages, Etc.)

Exam. Init.	Ref. Des.	Citation

<b>EXAMINER:</b>	<b>DATE CONSIDERED:</b>
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